

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Frame, Anne D.)	Group Art Unit:	1655
)		
Serial No.: 10/500,098)	Examiner:	Patricia A. Leith
)		
Filed: 06/24/04)	Attorney Docket No.:	083622/00003
)		
For: Anti-bacterial Plant Compositions)		

Via EFS-WEB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR 1.132

The Applicant believes there is no fee required. If the Commissioner believes a fee is due, please charge any required or unanticipated fees to our Deposit Account No. 50-1479, now or at any time during prosecution, except the issuance fee.

REMARKS

A fully responsive communication has been previously filed. The Examiner might find the attached declaration useful as background information. The Applicant provides a Declaration under 37 CFR 1.132 by Dr. Broedel. Dr. Broedel shows and declares he has chemically synthesized cobaltocene octamethyl. The purified and characterized compound is, clearly, not accompanied by any plant derived materials. Dr. Broedel further shows and declares that the compound is strongly active as an antibacterial agent. Declaration and supporting materials are attached.

The Applicant has claimed cobaltocene as the active ingredient in the originally filed set of claims – see in particular originally filed claims 1 and 2.

The Application is considered ready for allowance. Early communication to this effect is respectfully solicited.

Applicant's representative encourages the Examiner to contact him with any questions or comments that would more speedily resolve any remaining issues.

Date: February 26, 2010

Respectfully Submitted,

By: /Michael David/
Michael David, Reg. No.: 44,642
Attorney for Applicants
Whiteford, Taylor & Preston, LLP
Seven Saint Paul Street
Baltimore, Maryland 21212-1636
Direct Tel. No.: (410) 347-9424
Direct Fax No.: (410) 223-4172

1891254